

RESOLUTION

NO. R-22-__

CITY HALL: June 9, 2022

BY: COUNCILMEMBERS MORENO, MORRELL, HARRIS, GREEN AND THOMAS

**RESOLUTION AND ORDER ESTABLISHING A DOCKET AND PROCEDURAL
SCHEDULE WITH RESPECT TO ACHIEVING 100% RENEWABLE AND CLEAN
ENERGY FOR THE CITY OF NEW ORLEANS**

DOCKET UD-22-02

WHEREAS, pursuant to the Constitution of the State of Louisiana and the Home Rule Charter of the City of New Orleans (“Charter”), the Council of the City of New Orleans (“Council”) is the governmental body with the power of supervision, regulation, and control over public utilities providing service within the City of New Orleans (“City”); and

WHEREAS, Entergy New Orleans, LLC (“ENO” or “the Company”) is a public utility providing electric and natural gas service to all of New Orleans; and

WHEREAS, ENO is a wholly owned subsidiary of Entergy Utility Holding Company, LLC; and

WHEREAS, on March 28, 2019, the Council adopted Resolution No. R-19-109 establishing UD-19-01 the Renewable Portfolio Standards Docket; and

WHEREAS, on May 20, 2021, the Council adopted Resolution R-21-182 establishing a renewable and clean portfolio standard requiring ENO to utilize 100% renewable and clean power in its generation portfolio by 2050; and

WHEREAS, the Council believes that in order to mitigate climate change it is important that the City also work to utilize 100% renewable and clean power; and

WHEREAS, on January 6, 2022, the Council adopted Resolution No. R-22-11 which established a goal that the City of New Orleans utilize 100% renewable and clean energy resources to power City facilities; and

WHEREAS, the Council deems it in the public interest to implement a docket to develop a plan to achieve this goal; **NOW THEREFORE**

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS, that:

1. The matter set forth herein shall be considered in Council Docket UD-22-02
2. Jeffrey S. Gulin shall be appointed the Hearing Officer to preside over this inquiry pursuant to the City of New Orleans Code of Ordinances. In presiding over the inquiry, the Hearing Officer is directed to administer the proceedings and for good cause shown and as required by the circumstances of the proceedings and as discussed herein, the Hearing Officer shall have the authority to change or amend the dates established set forth herein.
3. ENO is designated as a party to these proceedings.
4. The Council's Advisors are directed to fully participate in the proceeding, including conducting discovery, to ensure that the Council's objectives for this docket are achieved.
5. Stakeholders desiring to intervene shall file a motion to intervene with the Clerk of Council no later than July 15, 2022, with a copy submitted electronically to Bobbie Mason (bfmason1@nola.gov). The Council's requirements for motions to intervene may be found in the City Code at sections 158-236, 158-240, 158-286, 158-287, 158-288, 158-322, and 158-324. Objections to motions to intervene shall be filed within 5 days of such requests. Timely-filed motions to intervene not objected to within that time period shall be deemed **GRANTED**.
6. A discovery period will commence on August 1, 2022, all responses to discovery shall be made on a rolling basis and shall be due within 7 calendar days of receipt. Parties are encouraged to submit their data requests and responses electronically, where possible. Objections to data requests shall be filed within 5 days of receipt. All parties are strongly encouraged to provide complete, unambiguous, and non-evasive responses to requests for information. Failure to do so could cause unnecessary discovery disputes and may disrupt the procedural schedule outlined herein. The parties are encouraged to attempt to resolve their discovery disputes amicably prior to seeking the intervention of the Hearing Officer or appealing to the Council. The discovery deadline shall be September 30, 2022.

7. All discovery and related dates are to be strictly adhered to by the Parties, and enforced by the Hearing Officer, unless there is a compelling reason for allowing late responses. If despite this admonition, the Hearing Officer allows late discovery responses, he/she is directed to alleviate any prejudice suffered by any Party due to the late responses, including through adjustments to the procedural schedule. Continued dilatory tactics by the Parties in the discovery process are strongly discouraged.
8. It is anticipated that during discovery, the Parties may be required to produce documents or information deemed confidential and/or highly sensitive and, accordingly, the Council adopts for use in this docket its Official Protective Order adopted by Resolution R-07-432, a copy of which can be obtained from the Council Utilities Regulatory Office.
9. Comments from all parties and the Council's Advisors shall be filed no later than December 2, 2022.
10. Reply comments shall be filed no later than January 9, 2023.

THE FOREGOING RESOLUTION WAS READ IN FULL, THE ROLL WAS CALLED ON THE ADOPTION THEREOF, AND RESULTED AS FOLLOWS:

YEAS:

NAYS:

ABSENT:

AND THE RESOLUTION WAS ADOPTED.